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BY FAX: 603-254-8358

October 27, 1992

Ms. Helen Todd
Li Lien Gibbons
c/o Prof. David Gibbons
Amanah Ikhtiar Malaysia
No. 361 Jin Ledang (off Jalan Duta)
Kuala Lumpur 50480
Malaysia

Dear Helen, Li Lien and David,

We hope you are well, and have been pleased with the reaction to the filing of the lawsuit. We understand that it has created a stir among the military in Indonesia, and that both the Indonesian opposition groups and the East Timorese are excited about it. We received a warm message of thanks from a Timorese representative. We've enclosed a few of the press clippings. We also know that it was covered by radio news programs in several countries, including Portugal, Australia and England.

We received the fax from Li Lien as we were drafting this letter; here are the answers to your questions, and some ideas about where we go from here.

As you know, we have won a victory of sorts: Sontag Panjaitan reportedly has left the United States and returned to Indonesia. In other words, we chased him out of the country. Hopefully, this will be of concern to other generals who are accustomed to traveling freely to the United States. We would be delighted to sue one or more additional generals, to drive home the point--and will be on the lookout for possible new cases.

Panjaitan's departure does not end his legal obligation to defend the lawsuit. Because he did not answer the complaint within 20 days, as required by U.S. law, we can now seek a default judgment against him. The court will take as true our factual claims, and will determine how much money he must pay.

There are actually two steps right now. First, we inform the court of the failure to respond, and a default is "entered." This cuts off his right to answer, and is

equivalent to a finding that he is responsible for all of our charges. We plan to do this within a week or two.

Second, we must submit detailed declarations to the court to substantiate our claims. We will ask the court for three months to prepare this material, until the end of January. After reviewing our material, the judge will enter a default judgment, with a dollar amount.

The final step will be to determine whether we can collect any of the money. It is unlikely, but we will investigate whether Pnajaitan has any assets in the United States that we can seize. If you have any suggestions as to where we might look, please let us know.

We will issue a press statement when we file the first set of papers requesting the "entry" of default, stating that Panjaitan has fled the country rather than answer the lawsuit and explaining that his legal obligation remains intact and that we will proceed until we have a money judgment against him. We would like to include a quote from you about this turn of events--if you would like to comment, please fax something to us.

We need two additional things from you now, in order to proceed. First, we need a declaration from you for the court about Kamal and his death--where he was born, where he was studying, why he was in East Timor, what he was doing before he was killed, the tragedy you and all the mothers suffered as a result of these needless deaths. If we are able to talk to Li Lien when she is in Canada and ask a few basic questions, we can probably prepare a rough draft and sent it to you for additions, revision and signature, if you wish. Let us know if you would like us to do that, or would prefer to draft it yourself.

Second, we need the statement we sent to you some months ago, in order to open an "estate" in Massachusetts that is able to sue on Kamal's behalf. We're faxing you another copy in case it didn't arrive--please let us know if you need us to send an original (or you could retype the fax and sign that copy).

Li Lien mentioned to Allan Nairn that you are moving. Please let us know your plans, so we can work on these papers without interfering with our schedule.

Take care,

Beth Stephens

Michael Ratner